

# SHOW NEW HAVEN GOT ROOSEVELT O. K.

## Documents Reveal President's Approval Led to Important Marine Activities.

### MORSE'S OFFER BARED

That President Theodore Roosevelt's approval of the New Haven marine activities led to important developments in that line was shown in the United States District Court yesterday by documentary evidence and testimony of Charles S. Mellen. During the day the Government again characterized its star witness as adverse, R. L. Bates, special assistant Attorney-General, saying at one stage that he was setting "more accurate testimony" from the letters than from the President.

Soon after the President's O. K. the New Haven sought to obtain absolute stock control in the Merchants and Miners, where it owned 50 per cent. When W. Morse bought into the Metropolitan Line, Providence carrying passengers the New Haven went after him. The ambitions of the company grew apace and there was introduced in evidence a letter from Mr. Mellen, in which he wrote of extending the Merchants and Miners Line to Galveston and into the Pacific by way of the Panama Canal. This was realized because of the Panama Canal act.

The 1,500th Document, Mr. Mellen was present when Judge Hunt opened the case, and he once took up the purchase of the Merchants and Miners and the Windsor ship line, which did not come to New York, but ran to Portland and Southern ports. The 3,000th document was put in evidence early and a sign of despair went up when it was realized that about 3,000 more are to come in before it is all over.

The way in which the purchases were made, according to letters, minutes and Charles S. Mellen, was that Kidder, Peabody & Co. sold control of the Windsor Line, or the Boston and Philadelphia Steamship Company, to the Merchants and Miners Line, 50 per cent. of which was owned by the New Haven. The subsequent recognition of the New Haven acquired much more. This was in March, 1907.

There was no doubt that after President Roosevelt told the New Haven to go ahead and keep C. W. Morse out of the Sound line the New Haven did it. Letters were read showing how they acquired the line to Galveston and other places which Morse might get.

James S. Hemmingsway's name came up as the Merchants and Miners situation developed. Judge Hunt said that a banker and was a member of both boards. He and Mr. Mellen exchanged letters about the company. There was some discussion of the American Woolen Company under the plan of the transportation of goods from the Grand Central Terminal in January, 1911, at which the situation was canvassed. The following year, when the Merchants and Miners Transportation Company was formed, Mr. Mellen was empowered to arrange for it.

Evolved by Mellen.

The outcome of this was a plan evolved by Mr. Mellen, which would have put the New Haven in the coastwise trade of the United States on a most ambitious scale. Mr. Mellen wanted to extend the line to Galveston and then, when the Panama Canal opened, run a line to the Pacific coast. This appeared in a letter dated August 1, 1912, addressed to Michael Jenkins, chairman of the board of directors of the Merchants and Miners Transportation Company.

"There is one foot in Boston a strong movement which I feel the interest of our company may require us possibly to assist—that there be put on a line of steamers between Boston and Galveston. My best judgment is that the line itself will not be a paying proposition, but the interests of our company would seem, at this writing, to put on the line and accept the loss."

"It looks to me like a pretty hard proposition," the writer continued, "for the Merchants and Miners Transportation Company to incur a loss for the benefit of the general interests of the New Haven system and this leads me to make the following tentative suggestions."

Inasmuch as the Merchants and Miners would need considerable financing, Mr. Mellen thought that the New Haven could be taken up in one general scheme. "I have had several talks with your Whitney," the letter says, "and I have suggested to him to suggest to you that the other stockholders exchange their Merchants and Miners shares for 4 per cent. first mortgage bonds for part, and that the New Haven should then openly assume control as the majority stockholder."

The letter goes on: "There are tentative suggestions reaching us from the pool of Boston directors at the present time looking to the establishment of a line between Boston and the Pacific coast upon the opening of the Panama Canal and I have questioned whether the Merchants and Miners would like to project itself into either the Galveston or the Pacific coast business at the present organized, considering we are the owners of a bare one-half of the stock."

The witness explains.

"Our relations with everybody connected with your company are most friendly. We do not desire anything except the power to dictate the loss of money in our interest; and we want to protect those who hold the stock, individuals, against their proportion of that loss if it is to be made."

The witness explained the last clause by saying that if the line lost money because of the New Haven's act the road would pay the loss.

The lines never went through, as the Panama Canal act shut that waterway to railroad owned steamships.

After recent Mr. Mellen testified that the New Haven board rejected C. W. Morse's offer. He voted for it, but changed his vote before he announced the result and the proposition was dropped. There had been strong protests from many New England organizations.

Mr. Bates then turned to the Metropolitan steamship company and the audience in the court room settled back expecting a long and tortuous recital in which the name of John L. Billaud is prominent and the letters of E. D. Robinson develop.

Up to 1905 the Metropolitan Company was an "outside" freight line to Boston. The New Haven entered the list of them when they announced a passenger service also between New York and Boston by building the Harvard and the Yale. First the New Haven bought the freight line with three new steamers, the Old Colony, the Massachusetts and the Bunker Hill, later transformed with passenger carriers to succeed the Harvard and Yale. Mr. Morse appeared in the Metropolitan when it went into the passenger business.

When the New Haven went after the Metropolitan line it went into the fight vigorously. Not only were steamers put out, but various other methods were tried. Mr. Mellen had a very idea that the Metropolitan line wanted to get Piers 14 and 15, North River, New York. The New England Navigation Company got them.

# WATERSHED SEWER FIGHT IS DELAYED

## State Gets Postponement of Hearing on Mohansic Lake Injunction.

### MAYOR DOUBTS WHITMAN

WHITE PLAINS, N. Y., Nov. 12.—The argument on the motion of the city of New York for an injunction restraining the managers of the New York Training School for Boys and the State Hospital at Lake Mohansic, near Yorktown Heights, from awarding a contract for a sewage disposal plant, which calls for the emptying of sewage in Lake Mohansic, a part of New York's water supply, did not take place before Justice Keogh in the Supreme Court at White Plains today. The matter was adjourned for ten days on motion of Deputy Attorney-General Robert S. Conklin, who explained that as Attorney-General Woodbury had not received the motion papers until last night, he was not ready to proceed.

The order to show cause before Justice Keogh why the injunction should be granted was secured by Corporation Counsel Lamar Hardy on November 10.

Dr. William J. O'Sullivan, who appeared for the Corporation Counsel, told the court that he would oppose a motion for adjournment unless the State officials would promise not to go ahead with awarding the contract.

Fears \$300,000,000 Loss.

"They are contemplating the destruction of \$300,000,000 worth of watershed property of the city of New York," said Dr. O'Sullivan. "The contemplated scheme of discharging sewage from the school and the hospital into our water supply will ruin our water. They are contemplating under the proposed plans to empty the sewage into the Hudson River, which will flow into Lake Mohansic."

"Somebody has deceived the Governor in this matter," continued Dr. O'Sullivan. "These managers are about to award a contract without advertising their plans. This matter was not even brought to our attention until last Saturday night. The Governor himself pledged himself to see that the sewage was piped from the institution to the Hudson River. Now these political schemers are trying to put through the scheme."

"The Governor is not omnipotent," was Mr. Conklin's retort.

Justice Keogh in granting an adjournment said that he would leave the order as it was originally granted, but that he could not make the Attorney-General stipulate not to let the contract be awarded.

"I am going to assume," continued the judge, "that the State officials are intelligent, public spirited and patriotic."

A number of engineers, experts on sewage and other officials from Manhattan as well as members of the Merchants and Miners were present in court.

Mayor Mitchell sent to Gov. Whitman yesterday another letter in reference to the plan to erect a sewage disposal plant. Gov. Whitman contends that the plans do not call for any outlet from the city's disposal plant into Lake Mohansic, a tributary of Croton Lake, from which New York city gets its water supply. His idea is that before completed the plan to pipe the sewage into the Hudson River.

On this point Mayor Mitchell takes issue with him. The Mayor points out that the disposal plan according to the specifications of the plan is to pipe the sewage into the Hudson River, which will flow into Lake Mohansic. After quoting from the specifications filed with the plan, the Mayor said that the construction of a pipe line to Mohansic Lake and the construction of an outlet for the sewage in the waters of that lake.

"Surely the terms of these specifications calling for a pipe line to Mohansic Lake and an outlet therein are not inconsistent with your determination to pipe the sewage into the Hudson River. While I am keenly alive to the desirability of providing ample space in the State's institutions for the housing of the public dependencies for which they are designed, yet it seems to me that it would be much better to postpone constructing a sewerage system until this matter has been finally and conclusively determined."

State Architect Lewis F. Pilcher, who drew the plans for the Mohansic sewage disposal system, explained last night that there was not the slightest intention to empty sewage into Mohansic Lake or Croton Lake, where it could get into New York's drinking water.

It is true, Mr. Pilcher said, that the plan calling for a sewerage system has been approved for Gov. Whitman by George A. Glynn, executive auditor; but this was done because of a technicality in the State's financial laws which allows letting contracts only for a "complete piece of work." A complete sewage disposal system obviously must include an outlet for the sewage, and the effect of the law, Mr. Pilcher explained, was rather than hold up the project, it was to be completed.

Probably the work cannot be completed for eighteen months, that is, the simultaneous work of building the two sewage plants for the Yorktown boys school and the Mohansic Lake Hospital, but it will be done as rapidly as possible, and the sewerage will be transported to the Hudson.

MARINE INQUIRY PROCEEDING.

Protective Committee Says Good Results Have Been Obtained.

The protective committee for the protection of the shareholders of the International Mercantile Marine Corporation, of which James N. Wallace is chairman, has issued the following statement:

"The investigation into the affairs of the Marine company and its subsidiaries by the accountants employed by the committee has been completed, and the results confirm our previous announcements heretofore made by the committee."

The committee announces that it will continue to receive preferred stock on deposit without penalty until the close of business on December 1 next. Holders of the preferred stock are urged to deposit their securities, duly indorsed for transfer, with the stamps required by the Federal and State laws, with the Central Trust Company of New York, which is the depository.

NEVINS OF PITTSBURGH IN BANKRUPTCY.

PITTSBURGH, Nov. 12.—Involuntary petitions in bankruptcy were filed in the United States District Court here today by Theodore W. Nevins, with liabilities of \$129,532 and assets of \$119,521, and Joseph T. Nevins, with liabilities of \$315,321 and assets of \$234,004. The Nevins were formerly newspaper publishers of Pittsburgh.

# EX-JUSTICE AN INCOMPETENT.

## Appeal Here for Leicester Holmes Follows Action in England.

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